

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 752 final

Brussels, 8 December 1981

Proposal for a
COUNCIL REGULATION (EEC)

extending the period of application of Council Regulation (EEC)
No 3310/75 on agriculture in the Grand Duchy of Luxembourg

(submitted to the Council by the Commission)

COM(81) 752 final

EXPLANATORY MEMORANDUM

1. Article 2 of Council Regulation (EEC) no 541/70 of 20 March 1970¹⁾ lays down that

"The provisions of the second subparagraph of Article 1 (1) of the Protocol on the Grand Duchy of Luxembourg shall remain applicable until full harmonization of specific duties on wine in the Community is achieved.

If such harmonization is not achieved, and in any event not later than 31 December 1973, the Council shall, acting by a qualified majority on a proposal from the Commission, decide to what extent these provisions must be retained, amended or abolished."

Each year since 1973 the Council has decided to extend by one year the provisions of the second subparagraph of Article 1 (1) of the Protocol on the Grand Duchy of Luxembourg, while ensuring that, on the occasion of any increase in excise duties on wine in the Benelux countries, the resultant advantage for Luxembourg wines covered by the Protocol referred to above is not increased. Council Regulation (EEC) no 3310/75 takes account of this preoccupation²⁾. That Regulation was last extended by Council Regulation (EEC) no 3451/80 of 22 December 1980³⁾ up to 31 December 1981.

2. As harmonization of excise duties as proposed by the Commission is not likely to be achieved by 31 December 1981 and as the system has not significantly handicapped free circulation of wines from other origins within the Benelux countries, it is proposed that the exceptional arrangements referred to in the second subparagraph of Article 1 (1) of the Protocol be extended until 31 December 1982, while maintaining the provisions of Council Regulation (EEC) no 3310/75 of 16 December 1975 referred to above.

1) OJ no L 68, 25.03.1970, p. 3

2) OJ no L 328, 20.12.1975, p. 12

3) OJ no L 360, 31.12.1980, p. 13

PROPOSAL

COUNCIL REGULATION (EEC)

extending the period of application of Council Regulation (EEC) No 3310/75 on agriculture
in the Grand Duchy of Luxembourg

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Protocol on the Grand Duchy of Luxembourg annexed thereto,

Having regard to Council Regulation (EEC) No 541/70 of 20 March 1970 on agriculture in the Grand Duchy of Luxembourg ⁽¹⁾,

Having regard to Council Regulation (EEC) No 3310/75 of 16 December 1975 on agriculture in the Grand Duchy of Luxembourg ⁽²⁾, as last amended by Regulation (EEC) No 3451/80⁽³⁾, and in particular Articles 1 and 2 thereof,

Having regard to the proposal from the Commission,

Whereas, under the second subparagraph of Article 1 (1) of the Protocol on the Grand Duchy of Luxembourg, Belgium and the Netherlands are to apply the system provided for in the third paragraph of Article 6 of the Convention on the Economic Union of Belgium and Luxembourg of 25 July 1921; whereas the period of application of this system was last extended by Regulation (EEC) No 3451/80 until such time as full harmonization of specific duties on wine in the Community is achieved, but not beyond 31 December

1981; whereas, however, the Council has to decide to what extent these provisions should be retained, amended or discontinued;

Whereas at the present time the harmonization of specific duties on wine in the Community has not been achieved; whereas the application of the said system in favour of Luxembourg wines will continue to be of benefit to the agricultural income of the Grand Duchy of Luxembourg in the sector concerned;

Whereas having regard to the other reasons set out in Regulations (EEC) No 541/70 and (EEC) No 3310/75, the period of application of the latter Regulation should be extended,

HAS ADOPTED THIS REGULATION:

Article 1

In the first paragraph of Article 2 of Regulation (EEC) No 3310/75, '31 December 1981' is replaced by '31 December 1982'.

Article 2

This Regulation shall enter into force on 1 January 1982.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

1981.

For the Council

The President

⁽¹⁾ OJ No L 68, 25. 3. 1970, p. 3.

⁽²⁾ OJ No L 328, 20. 12. 1975, p. 12.

⁽³⁾ OJ No L 360, 31.12.1980, p. 13